REMARKS/ARGUMENTS

Claims 1-21 remain in this application.

Claim 16-21 were previously withdrawn.

Applicant wishes to thank the Examiner for the courtesies extended to his representative, Ferris H. Lander, during an informal teleconference on May 18, 2005.

With regard to designation of the application as a CIP of US SN 009/334,887, it is noted that the parent application teachings are most similar to the instant invention, as described on pages 4-7 of the instant disclosure, albeit the parent application is directed to the particular service of providing telephone access cards, while the instant invention teaches a broadeer range of financial services.

In response to the Office Action of March 7, 2005, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

Claim Rejections - 35 USC 112

Claims 1-15 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has pointed to the fact that both independent claims 1 and 6 recite structure and method steps, and has concluded that it is unclear which statutory class (apparatus or process) applicant is trying to claim. Thus, for the purposes of examination, the examiner has prosecuted the claims as apparatus claims and given less patentable weight to the method steps.

Accordingly, the claims have now been modified to add "means for"

terminology, thereby obviating the rejections under 35 USC 112.

Claim Rejections - 35 USC 101

Claims 1-15 stand provisionally rejected under 35 U.S.C 101 as claiming the same invention as that of claims 1-8 and 8-17 of copending Application No. 09/837,926. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Accordingly, SN 08/837,926 will be expressly abandoned, thereby obviating the rejection under 35 USC 101.

Claim Rejections - 35 USC 102(e)

Claims 1-10 and 12 stand rejected under 35 U.S.C. 102(e) as being anticipated by Muehlberger et al.

The Examiner has indicated that Muehlberger et al. shows, in Figure 1, a customer operated counter-top terminal system activates various debit card (account numbers are inherent) transactions. provides secure communications with a host computer database, and issues a decrypted authorization code to the customer. The system consists of a main terminal unit with an alphanumeric display. The main terminal unit carries a CPU, memory, and all interface devices, including a keypad for the entry of Personal Identification Numbers (PIN), plus programmable function keys and a swipe reader for reading various cards. The main terminal unit further includes a printer for printing receipts for use by a customer and retailer. The system also includes a remote hand-held keyboard having a Keyboard display. typically to e yield by a clerk for providing a level of privacy desirable to the customer. The system

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permits processing services to merchants, allowing them to accept all credit and ATM cards for the purchase of goods or services provided by their establishment, thus providing the advantage of a guaranteed payment for the merchant.

Claim Rejections - 35 USC § 103

Claims 11 and 13-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Muehlberger et al. in view of Pare, Jr et al.

Muehlberger et al. is deemed to show all of the limitations of the claims except for specifying a customer-selected PIN and biometric scanning.

Pare, Jr. et al. is indicated as teaching, figure 1, a tokenless biometric ATM access system with a customer-selected PIN (column 49, line 26) in order to help the customers remember their PINs and biometric scanners as part of a biometric verification system (Title and throughout reference) in order to provide more security.

Based on the teaching of Pare, Jr. et al., the Examiner concludes that it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Muehlberger et al system to incorporate a customer selected PIN in order to help the customers remember their PINs and biometric scanners as part of a biometric verification system in order to provide more security.

The instant claim amendments clarify the claims and more clearly focus upon the novel concepts which embrace the Applicant's invention. The inclusion of the "means for" terminology in claim 1 (as illustrated below):

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"said transaction terminal further including an operating program for performing a series of steps including: means for initiating said point of sale transaction to accept funds from a customer to be deposited into a debit account; means for accepting an input value representing funds to be deposited into said debit account; means for accessing said secure host server via said communications means; means for transmitting said input value to said secure host server; means for receiving a debit account number unique to said transaction from said secure host server; receiving a unique personal identifier number (PIN) corresponding to said debit account number from said secure host server, and means for providing said debit account number and PIN in readable format to said customer."

and inclusion of similar amendments in claim 6, define over the Muehlberger et al reference, thereby obviating all outstanding art rejections currently of record.
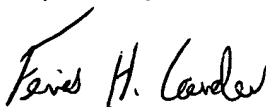
Cancellation of Withdrawn Claims:

The Examiner is authorized to cancel claims 16-21, without prejudice to the subject matter contained therein, upon allowance of the application.

SUMMARY

In light of the foregoing remarks and amendment to the claims, it is respectfully

submitted that the Examiner will now find the claims of the application allowable.

Favorable reconsideration of the application is courteously requested.

Respectfully submitted,

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